

IN THE CLAIMS

Please amend the claims as follows:

1. (Currently Amended) A non-aqueous electrolyte cell comprising:
 - a positive electrode containing comprising a lithium-transition metal compound oxide as a positive electrode active material, said positive electrode comprising a material resulting from a mixture of manganese starting material, $\gamma\text{-MnO}_2$, a lithium starting material, Li_2CO_3 , and an aluminum starting material Al(OH)_3 to form a powder mixture heated in air at a temperature rising rate of 10°C/min to 1000°C;
 - a negative electrode containing a carbon compound or metal lithium as a negative electrode active material; and
 - a non-aqueous electrolyte interposed between said positive and negative electrodes; wherein
 - said lithium-transition metal compound oxide is represented by the general formula $\text{Li}_x\text{Mn}_{1-y}\text{Al}_y\text{O}_2$ where $0.94 \leq x \leq 0.96$ and $0.06 \leq y \leq 0.25$;
 - wherein said electrolyte is dissolved in a non-aqueous solvent and exists as a non-aqueous electrolyte and is selected from the group consisting of LiClO_4 , LiAsF_6 , LiPF_6 , LiBF_4 , $\text{LiB}(\text{C}_6\text{H}_5)_4$, $\text{CH}_3\text{SO}_3\text{Li}$, $\text{CF}_3\text{SO}_3\text{Li}$, LiCl and LiBr ; and
 - wherein said solvent is selected from the group consisting of propylene carbonate, ethylene carbonate, dimethyl carbonate, 1,2-dimethoxyethane, 1,2-diethoxyethane, γ -butyrolactone, 2-methyl tetrahydrofuran, 1, 3-dioxolane, 4-methyl-1, 3-dioxolan, 4-methyl-1, 3-dioxolan, diethyl ether, sulforane, methyl supforane, acetonitrile, propionitrile, anisole, acetic acid ester, lactic acid ester and propionic acid ester.

2. (Original) The non-aqueous electrolyte cell according to claim 1 wherein the lithium-transition metal compound oxide, represented by the general formula $\text{Li}_x\text{Mn}_{1-y}\text{Al}_y\text{O}_2$, has a crystalline structure as represented by the spatial group C2/m.

Claims 3-5 (Cancelled)